



**LYON COUNTY BOARD OF COUNTY COMMISSIONERS
MONDAY, AUGUST 3, 2026**

9:00 AM

**LYON COUNTY ADMINISTRATIVE COMPLEX
27 S. MAIN STREET, YERINGTON, NV 89447**

**Special Meeting:
Data Center Ordinance Workshop**

Join Zoom Meeting:

<https://us02web.zoom.us/j/83368686463?pwd=ZlVGaWFOT3pGUjJPWWV0VmZRQ0N5dz09>

Meeting ID: 833 6868 6463 / Passcode: 896135

Mobile: 1-253-215-8782 / 1-346-248-7799

County Commission meetings are open to the public and may be attended in person or via virtual Zoom, if available. Virtual public comment may be given if you are attending the virtual Zoom meeting by raising your hand. This can occur in several ways, including by dialing *9 from your phone to raise your hand and request to speak for public comment. Then to unmute yourself, dial *6.

Written public comments may be mailed to the Lyon County Manager's Office at 27 S. Main Street, Yerington, Nevada 89447, or emailed to countyclerks@lyon-county.org, be sure to type, PUBLIC COMMENT in the subject line. Comments must be received the day prior to the date of the meeting by 4:00 P.M. for the comments to be included in the meeting. Any written public comments received after the aforementioned time will be compiled and added as supplemental materials to the County's website and distributed to the Board of Commissioners within 24 hours after the meeting.

BOARD OF COMMISSIONERS SPECIAL MEETING - *All or some Board of Commission Members may elect to call-in to this meeting. The public can access this meeting at the above address.*

1. Roll Call

2. Pledge of Allegiance

3. Public Participation (no action will be taken on any item until it is properly agendized) - *It is anticipated that public participation will be held at this time, though it may be returned to at any time during the agenda. Citizens wishing to speak during public participation are asked to state their name for the record and will be limited to 3 minutes. The Board will conduct public comment after discussion of each agenda action item, but before the Board takes any action.*

4. For Possible Action: Review and adoption of agenda

5. Workshop

- 5.a For Discussion and Possible Action: A workshop of the Lyon County Board of Commissioners to review and discuss the current draft of the Data Center Ordinance, including proposed definitions, zoning regulations, and development standards, and to provide direction to staff on the suggested changes to the Data Center Ordinance. (Gavin Henderson, Community Development Director)
- **DRAFT - Data Center Ordinance**

6. Commissioner Comments

7. Public Participation (no action will be taken on any item until it is properly agendized) - *It is anticipated that public participation will be held at this time, though it may be returned to at any time during the agenda. Citizens wishing to speak during public participation are asked to state their name for the record and will be limited to 3 minutes. The Board will conduct public comment after discussion of each agenda action item, but before the Board takes any action.*

8. Adjourn

Pursuant to NRS 241.020, the agenda has been posted at the following locations: Lyon County Administrative Complex (27 S. Main Street, Yerington, NV), the Lyon County Website: <https://www.lyon-county.org>, and the State Website: <https://notice.nv.gov>. Supporting documentation for the items on the agenda is available to members of the public at the County Manager's Office (27 S. Main Street, Yerington, NV), by phone (775)463-6531, or by email requests to countyclerks@lyon-county.org.

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Lyon County is an equal opportunity provider.

**Agenda and Backup Material is
Available at www.lyon-county.org**

Lyon County Board of County Commissioners Agenda Summary

Meeting Date: August 3, 2026

Agenda Item Number:

5.a

Subject:

For Discussion and Possible Action: A workshop of the Lyon County Board of Commissioners to review and discuss the current draft of the Data Center Ordinance, including proposed definitions, zoning regulations, and development standards, and to provide direction to staff on the suggested changes to the Data Center Ordinance. (Gavin Henderson, Community Development Director)

Summary:

Financial Department Comments:

Approved As To Legal Form:

County Manager Comments:

Recommendation:

ATTACHMENTS

- [DRAFT - Data Center Ordinance](#)

BILL NO. _____

ORDINANCE NO. _____

SUMMARY: AN ORDINANCE AMENDING LYON COUNTY CODE TO ESTABLISH DATA CENTERS AS A PERMITTED USE AND CREATING PERFORMANCE STANDARDS THEREFOR, BY AMENDING TITLE 15, CHAPTER 320, TABLE 15.320-4; CREATING TITLE 15, CHAPTER 336, SECTION 17; AMENDING TITLE 15, CHAPTER 401, SECTION 3, TABLE 15.401-1; AND AMENDING TITLE 15, CHAPTER 1200, SECTION 4.

TITLE: AN ORDINANCE AMENDING LYON COUNTY CODE TO ESTABLISH DATA CENTERS AS A PERMITTED USE AND CREATING PERFORMANCE STANDARDS THEREFOR, BY AMENDING TITLE 15, CHAPTER 320, TABLE 15.320-4; CREATING TITLE 15, CHAPTER 336, SECTION 17; AMENDING TITLE 15, CHAPTER 401, SECTION 3, TABLE 15.401-1; AND AMENDING TITLE 15, CHAPTER 1200, SECTION 4.

Explanation: Matters underlined and in blue are new or added language; matters ~~struck out and in red~~ are deletions or removed language.

THE BOARD OF COUNTY COMMISSIONERS OF LYON COUNTY, NEVADA DOES HEREBY ORDAIN:

Section 1. The Lyon County Development Code, Title 15, Chapter 320, Table 15.320-4 is hereby amended as follows:

<i>Use Category</i>	<i>Use Type</i>	<i>LI-R</i>	<i>LI-S</i>	<i>HI-R</i>	<i>HI-S</i>	<i>SI</i>	<i>EMU</i>	<i>XX</i>	<i>Specific Use Requirements (Code Reference)</i>
Warehousing	Hazardous material storage	-	-	C	C	-	-	-	
	Tank farm, over 100,000 gallons	-	-	C	C	-	-	-	
	Warehouse and distribution facilities	P	P	P	P	P	-	-	
<u>Data and Technology Services</u>	<u>Data Center</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	-	-	<u>15.336.17</u>

Section 2. The Lyon County Development Code, Title 15, Chapter 336, Section 17 is hereby created as follows:

15.336.17: DATA CENTERS:

A. Purpose: This Ordinance establishes environmental, performance, and operational standards to ensure data center development proceeds in a manner that protects public health, safety, and welfare while supporting responsible economic development.

B. Definitions:

1. BATTERY ENERGY STORAGE SYSTEM (BESS): A system consisting of batteries, inverters, and related equipment designed to store electrical energy and discharge that energy at a later time. A BESS may include lithium-ion, flow, or other battery technologies, together with associated thermal management systems, fire suppression equipment, and monitoring systems.

2. BESS, ACCESSORY: A Battery Energy Storage System that (i) is located on the same lot or development site as a data center; (ii) is designed and operated exclusively to provide backup or emergency power to the data center use; and (iii) is not interconnected to the electric grid for the purpose of selling power;

3. BESS, PRINCIPAL: A Battery Energy Storage System that is interconnected to the electric grid for the purpose of selling power, providing grid services, or serving loads other than the data center on the same site. A BESS that exceeds the capacity threshold for an Accessory BESS shall be classified as a Principal BESS.

4. COOLING SYSTEM: Equipment and infrastructure used to dissipate heat generated by data center operations, including but not limited to air-cooled chillers, evaporative cooling towers, liquid cooling systems, and hybrid cooling systems.

5. DATA CENTER: A facility whose primary purpose is the centralized housing, storage, processing, management, or transmission of digital data. This includes server farms, cloud computing facilities, colocation centers, enterprise data centers, and telecommunications switching hubs. A data center typically includes large-scale computer systems, servers, networking equipment, and supporting infrastructure such as environmental controls, backup power systems, and security systems.

6. DATA CENTER ACCESSORY USE: A use that is clearly incidental and subordinate to the principal data center use, located on the same lot or development site, and necessary for the operation, maintenance, or protection of the data center. Data center accessory uses include:

- a. Accessory Battery Energy Storage Systems meeting the criteria in this Chapter;
 - b. Emergency generators and associated fuel storage;
 - c. Cooling systems and thermal management equipment;
 - d. Electrical substations and switchgear serving the data center;
 - e. Water storage tanks and pump stations;
 - f. Stormwater management facilities;
 - g. Security facilities including guard offices, fencing, and surveillance equipment;
 - h. Administrative offices accessory to data center operations;
 - i. On-site water effluent treatment systems;
-

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- 1 j. Fire suppression systems and equipment.
- 2 7. DATA CENTER CAMPUS: A unified development consisting of one or more data center
3 buildings together with accessory uses, developed on a single lot or an assemblage of contiguous lots
4 under common ownership or control.
- 5 8. EFFLUENT COMMITMENT: A legally binding agreement with a municipal or regional utility
6 guaranteeing the delivery of reclaimed or treated effluents suitable for industrial cooling prior to use for
7 the projected operational life of the project.
- 8 9. ELECTRICAL SUBSTATION: A facility containing transformers, switching equipment, and
9 related infrastructure used to modify voltage levels and distribute electrical power. For purposes of this
10 Ordinance, an electrical substation shall be customer-owned.
- 11 10. EMERGENCY GENERATOR: A stationary engine-generator set designed to provide backup
12 electrical power during utility outages or emergencies.
- 13 11. MECHANICAL EQUIPMENT: Heating, ventilation, air conditioning, cooling, and other
14 equipment necessary for the environmental control and operation of a data center, including but not
15 limited to chillers, cooling towers, air handling units, pumps, and fans.
- 16 12. MEGAWATT (MW): A unit of electrical power equal to one million watts.
- 17 13. NATURAL GAS POWER FACILITY: A facility that generates electrical power through the
18 combustion of natural gas, including simple cycle combustion turbines, combined cycle facilities, and
19 reciprocating engine generators.
- 20 14. NATURAL GAS POWER FACILITY, ACCESSORY: A natural gas power facility that (i) is located
21 on the same lot or development site as a data center; (ii) is designed and operated primarily to serve the
22 electrical load of the data center; (iii) has a generating capacity that does not exceed 125% of the data
23 center's maximum electrical demand; and (iv) is not operated primarily for the sale of power to the
24 electric grid (15.336.17.J.1.d).
- 25 15. NATURAL GAS POWER FACILITY, PRINCIPAL: A natural gas power facility that is designed or
26 operated primarily for the sale of power to the electric grid, or that exceeds the capacity limitations for
27 an Accessory Natural Gas Power Facility.
- 28 16. NOISE-SENSITIVE RECEPTOR: Any property containing a residential dwelling unit, school,
29 hospital, nursing home, place of worship, library, or public park.
- 30 18. NON-EVAPORATIVE COOLING SYSTEMS: Cooling systems that do not utilize or consume
31 water through evaporation, including air cooled chillers, dry coolers, and liquid immersion systems.
- 32
- 33
- 34
- 35
-

C. Applicability:

1. This Ordinance applies to:

- a. New data center construction;
- b. Expansion of existing data centers that increases gross floor area by more than 10,000 square feet or electrical capacity by more than 5 MW;
- c. Conversion of existing buildings to data center use;
- d. Installation of accessory uses regulated by this Ordinance.

D. Application Requirements:

1. In addition to the standard Conditional Use (CUP) or Planned Unit Development (PUD) application requirements, an application for data center approval shall include:

A. Site Plan: A detailed site plan showing preliminary or final building footprints, parking areas, access drives, landscaping, storm water facilities, utility connections, and the location of all accessory uses and equipment.

B. Electrical Utility Impact Assessment: The applicant shall submit an Electric Utility Impact Assessment prepared by a qualified electrical engineer documenting the anticipated electrical demand of the proposed facility, expressed in megawatts (MW), at each phase of development through full build-out. The assessment shall include evidence of formal coordination with the applicable electric utility provider and shall address all of the following:

1. The projected electrical demand of the facility at initial operation, at each development phase, and at maximum build-out capacity, including both average and peak load projections;

2. The availability of adequate transmission and distribution capacity within the existing utility infrastructure to serve the facility at each phase of development;

3. A description of all utility infrastructure upgrades required to serve the facility, including but not limited to transmission line extensions, substation improvements, and distribution system modifications, together with the anticipated scope, cost, construction timeline for each identified upgrade, and impact to customer electric rates;

4. Evidence of formal coordination with the applicable utility provider, including correspondence, pre-application meeting summaries, or other documentation confirming that the utility provider has been notified of the proposed facility's demand requirements, has acknowledged the need for any required infrastructure improvements; and

1 5. A copy of any executed or pending interconnection agreements, capacity reservation
2 agreements, or service commitment letters issued by the applicable utility provider confirming the
3 availability of sufficient electrical service to support the proposed facility.
4

5 C. Noise Study: An acoustic analysis prepared by a qualified design engineer or architect
6 demonstrating compliance with the noise standards in this Ordinance, including projected noise levels at
7 property lines and at the nearest noise-sensitive receptors.
8

9 D. Traffic Impact Study: The applicant shall submit two (2) separate Traffic Impact
10 Studies prepared by a qualified traffic engineer licensed in the State of Nevada, one for the construction
11 phase and one for the operations and maintenance phase of the proposed facility. Both studies shall be
12 submitted with the land use application. For projects that utilize or impact Nevada Department of
13 Transportation (NDOT) right-of-way, evidence of NDOT scope approval and study review comments or
14 approval shall also be submitted with the development permit application.
15

16 E. Water and Sewer Impact Assessment: The applicant shall submit a Water and Sewer
17 Impact Assessment prepared by a qualified engineer documenting the projected water and wastewater
18 demands of the proposed facility across all phases of development through full build-out. The
19 assessment shall be submitted with the land use application and shall demonstrate, to the degree
20 feasible at the time of entitlement, that the proposed facility can be adequately served by water and
21 sewer infrastructure without adversely impacting the existing water supply system, wastewater
22 treatment system, or regional groundwater aquifer. The assessment shall address all of the following:
23

24 a. Public Utility Water Supply: For facilities proposing to utilize a public water utility,
25 the applicant shall provide evidence of preliminary coordination with the applicable water utility
26 provider indicating that adequate supply and distribution system capacity is anticipated to be available
27 to serve the facility. Such evidence may include correspondence, a will-serve letter, or a preliminary
28 capacity assessment from the utility provider. Final water service agreements and capacity
29 commitments shall be required prior to the issuance of any construction permit.
30

31 b. Non-Public Utility Water Supply: For facilities proposing to utilize a private water
32 source, including but not limited to a groundwater well, the applicant shall submit a preliminary
33 hydrogeological evaluation prepared by a licensed hydrogeologist assessing the feasibility of the
34 proposed water source and its anticipated ability to serve the facility's projected demands without
35 adversely impacting existing water rights, neighboring water users, or the regional groundwater aquifer.
36 Evidence of a valid water right or a pending application with the Nevada State Engineer shall be required
37 prior to the issuance of any construction permit.
38

39 c. The applicant shall provide an estimate of the projected wastewater generation
40 associated with the facility's operations and shall submit evidence of preliminary coordination with the
41 applicable wastewater utility provider indicating that adequate treatment and conveyance capacity is
42 anticipated to be available to serve the facility. Final capacity confirmation and service agreements shall
43 be required prior to the issuance of any construction permit.

d. Where the facility's operations are anticipated to generate industrial wastewater or process discharge, the applicant shall provide a preliminary characterization of the anticipated discharge, including estimated volumes and general water quality parameters. Evidence of preliminary coordination with the applicable wastewater utility or industrial pretreatment program authority indicating the general acceptability of the proposed discharge shall be submitted with the assessment. Full industrial pretreatment permitting and discharge compliance documentation shall be required prior to the commencement of operations.

e. A preliminary identification of any water or wastewater infrastructure upgrades anticipated to be required to serve the facility, including a general description of the scope and estimated cost of such upgrades. The applicant shall bear the full cost of any infrastructure upgrades required as a result of the proposed development. Final determination of required upgrades and associated costs shall be confirmed through coordination with the applicable utility provider prior to the issuance of any construction permit.

F. Emergency Response Plan: A plan developed in coordination with local emergency services and Lyon County Emergency Management addressing fire response, hazardous material storage and handling, and emergency access.

G. Landscaping and Screening Plan: A detailed landscaping plan demonstrating compliance with the screening and buffering requirements per County Code.

H. Fiscal Impact Analysis: An analysis of the projected fiscal impacts on the County, including anticipated tax revenue, infrastructure costs, and public service demands.

I. Decommissioning Plan: All data center applications shall include a decommissioning plan addressing the following:

a. Decommissioning Plan Submittal. A Decommissioning Plan prepared by a qualified professional shall be submitted with the application. The plan shall outline the procedures for safe shutdown, removal of equipment, disposal or recycling of materials, and site restoration, and shall address all structures, equipment, and associated infrastructure on the site, including but not limited to:

i. Solar arrays and photovoltaic systems, including panel removal, structural dismantling, and disposal or recycling of solar components in accordance with applicable regulations;

ii. Natural gas-powered generation facilities, including the safe disconnection, removal, and remediation of any fuel supply infrastructure, generators, and associated equipment; and

iii. Battery energy storage systems (BESS), including the safe removal, transport, and disposal or recycling of battery cells, modules, and associated electrical infrastructure in compliance with hazardous materials handling requirements.

b. Notification of Closure. The owner shall submit a written notification of closure to Lyon County if operations are permanently ceased.

c. Timing of Decommissioning. Decommissioning shall begin within one (1) year of cessation of data center operations, or upon notice of abandonment by the operator, whichever occurs

1 first. An extension of two (2) years may be granted by Lyon County if the property owner demonstrates
2 that the site is actively being marketed for a compatible replacement use. Decommissioning shall be
3 completed within eighteen (18) months of commencement, unless extended by Lyon County for good
4 cause shown.

5
6 d. Standards for Decommissioning. All decommissioning activities shall comply with the
7 following minimum standards:

8 i. All above-ground accessory structures, equipment, and facilities associated with
9 battery energy storage systems, onsite power generation, and cooling equipment, including but not
10 limited to battery racks and enclosures, generators, fuel storage tanks, mechanical cooling units,
11 inverters, switchgear, and associated structural supports, shall be removed from the site within the
12 timeframe established in the approved decommissioning plan. Specific accessory structures, equipment,
13 and facilities associated with battery energy storage systems, onsite power generation, and cooling
14 equipment may be permitted to remain onsite if it is determined the facilities still have useful life and
15 approved by the Board of County with a Conditional Use Permit applied for at the time of
16 decommissioning

17 ii. Hazardous materials, including but not limited to batteries, fuel, and
18 refrigerants, shall be disposed of in compliance with all applicable state and federal law;

19 iii. Electronic waste (e-waste) generated from decommissioning activities shall be
20 disposed of, recycled, and managed in compliance with all applicable state and federal regulations;

21 iv. Disturbed soils shall be stabilized and re-vegetated using species appropriate to
22 the surrounding environment;

23 v. The site shall be restored to a condition compatible with surrounding land uses
24 or consistent with the standards of the applicable zoning district, whichever is more protective.

25
26 e. Financial Security: In recognition that data center developments typically occur in
27 multiple phases, financial assurance for decommissioning obligations shall be structured on a phased
28 basis, as follows:

29 i. Phasing Plan Required. Prior to approval, the applicant shall submit a phasing
30 plan identifying each discrete phase of development, the scope of improvements within each phase, and
31 a total estimated decommissioning cost for the entire project prepared by a qualified professional.

32 ii. Financial Security Required Prior to Each Phase. Before commencing
33 construction of any phase, the applicant shall provide Lyon County with financial security in an amount
34 equal to one hundred fifty percent (150%) of the estimated decommissioning cost attributable to that
35 phase. Financial security shall be cumulative, such that upon commencement of each successive phase,
36 the total security held by Lyon County shall reflect one hundred fifty percent (150%) of the combined
37 decommissioning liability of all phases commenced to date.

38 iii. Acceptable Forms of Security. Financial security may be provided in the form of
39 a surety bond, irrevocable letter of credit, cash, or other instrument acceptable to Lyon County, and
40 shall name Lyon County as beneficiary.

iv. Periodic Review. Lyon County may require review of the decommissioning cost estimate no more frequently than every five (5) years to account for inflation, changes in scope, or updated cost data. The applicant shall adjust the financial security amount accordingly upon written notice from the County.

v. Release of Security. Financial security attributable to a completed and decommissioned phase may be reduced or released upon written approval of Lyon County, following confirmation that all decommissioning obligations for that phase have been satisfied and the site has been restored in accordance with the approved Decommissioning Plan.

E. Building and Site Design Standards

1. Building Height

a. Maximum Building Height: 75 feet.

2. Building Elevations: All data center buildings shall be designed to present a cohesive and visually compatible appearance with the surrounding area. The following standards shall apply to all building elevations visible from adjacent properties or public rights-of-way:

a. All exterior building materials shall be durable, high-quality materials appropriate to the character of the surrounding area. Acceptable materials include masonry, concrete tilt-up panels, metal panel systems, and similar materials. Reflective or highly polished exterior cladding that produces glare visible from adjacent properties or public rights-of-way is prohibited.

b. Building elevations exceeding 150 feet in length shall incorporate architectural articulation to reduce the visual mass of the building. Acceptable methods of articulation include variations in wall plane, changes in material or color, pilasters, recesses, fenestrations or other architectural features that provide visual relief along the building facade.

c. Exterior building colors shall be neutral, earth-tone, or muted in character and compatible with the surrounding built and natural environment. High-intensity, fluorescent, or primary colors are prohibited as a dominant exterior color.

F. Setbacks

1. Setbacks from Residential Zoning Districts and Uses:

a. All data center buildings: 150 feet minimum.

b. Accessory Substations: 200 feet minimum.

c. Accessory Battery Energy Storage Systems: 250 feet minimum.

d. Accessory Natural Gas Power Facilities: 250 feet minimum.

e. Emergency Generators: 150 feet minimum.

f. Cooling Towers: 150 feet minimum.

2. Setbacks from Commercial Zoning Districts:

- a. All data center buildings: 75 feet minimum.
- b. Accessory Substations: 100 feet minimum.
- c. Accessory Battery Energy Storage Systems: 150 feet minimum.
- d. Accessory Natural Gas Power Facilities: 150 feet minimum.
- e. Emergency Generators: 75 feet minimum.
- f. Cooling Towers: 100 feet minimum.

3. Setbacks from Industrial Zoning Districts:

- a. All data center buildings: 30 feet minimum.
- b. Substations: 50 feet minimum.
- c. Battery Energy Storage Systems: 75 feet minimum.
- d. Natural Gas Power Facilities: 75 feet minimum.
- e. Emergency Generators: 50 feet minimum.
- d. Cooling Towers: 50 feet minimum.

4. Setbacks from Public Rights-of-Way:

- a. All buildings and structures: 75 feet minimum from arterial roads; 50 feet minimum from collector roads; 35 feet minimum from local roads.

G. Landscaping, Fencing, and Screening

1. Perimeter Landscaping: All required landscaping shall consist of drought-tolerant, low-water-use plant species appropriate to Northern Nevada's high desert climate. Turf grass is prohibited in all required landscaping buffer areas. Xeriscape design principles shall govern all planting. Irrigation systems shall be designed to minimize water consumption, with a preference for drip irrigation and smart controllers.

Xeriscape ground cover materials, including decomposed granite, decorative rock, and riprap, are required between and around all plantings. To promote visual diversity, xeriscape materials and/or colors shall be alternated in distinct sections throughout the buffer area, with no single material or color occupying more than 50% of the total ground cover area. Selected materials and colors shall be complementary to one another and consistent with the character of the surrounding area.

- a. Adjacent to Residential Districts or Uses: A minimum 50-foot landscaped buffer shall be provided. Trees shall be planted at a density of not less than one tree per 200 square feet of buffer area, supplemented by an understory of drought-tolerant shrubs. A minimum of 60% of required trees shall be evergreen species suited to the high desert climate. Remaining trees shall be drought-tolerant deciduous species.

b. Adjacent to Commercial Districts: A minimum 25-foot landscaped buffer shall be provided. Trees shall be planted at a density of not less than one tree per 300 square feet of buffer area, supplemented by an understory of drought-tolerant shrubs. A minimum of 50% of required trees shall be evergreen species adapted to Northern Nevada's climate. Remaining trees shall be drought-tolerant deciduous species. All shrubs and groundcover plantings shall be drought-tolerant species with a low water-use classification.

c. Adjacent to Industrial Districts: A minimum 10-foot landscaped buffer shall be provided, planted with trees at a density of not less than one tree per 400 square feet of buffer area.

2. Equipment Screening:

a. Ground Mounted Mechanical Equipment:

1. Ground-mounted mechanical and electrical equipment, including but not limited to cooling equipment, chillers, cooling towers, pumps, generators, transformers, switchgear, fuel tanks, and similar equipment, shall be screened from ordinary view from adjacent public rights-of-way and adjacent properties to the maximum extent practicable.

2. Existing screening required elsewhere in this chapter, including perimeter walls, decorative fencing, berms, landscaping, or combinations thereof, may satisfy all or part of the screening requirement, provided the Director determines the equipment is adequately screened.

3. Where additional screening is necessary, screening may consist of:

a. Architectural walls;

b. Decorative masonry walls;

c. Equipment enclosures;

d. Berms;

e. Supplemental landscaping; or

f. A combination of these methods.

4. Screening shall not interfere with equipment ventilation, maintenance access, emergency access, or manufacturer-required clearances.

5. Chain-link fencing, with or without privacy slats, shall not constitute required screening unless specifically approved by the Director as part of an alternative compliance determination.

b. Roof Mounted Mechanical Equipment:

1. Rooftop mechanical equipment shall be incorporated into the architectural design of the building and screened to the maximum extent practicable from adjacent public rights-of-way and adjacent properties.

2. Screening may be accomplished through parapets, architectural screening elements, or other integrated building features compatible with the primary structure.

3. Rooftop screening shall be designed as an integral architectural component of the building and shall utilize materials, colors, and finishes compatible with the principal building.

4. Exhaust stacks, vents, lightning protection systems, communications equipment, and other code-required appurtenances may extend above the screening where necessary for safe operation.

c. Topographic Considerations:

1. Because Lyon County contains varied terrain and significant elevation changes, compliance with this section shall be evaluated from the established grade of adjacent public rights-of-way and adjacent properties. Screening shall not be required to eliminate visibility from elevated terrain, mountainsides, ridgelines, or other viewpoints where complete screening is impracticable due to topography.

d. Substations shall be enclosed by a solid masonry wall not less than 10 feet in height.

e. Maintenance:

1. All screening required by this section shall be maintained in good condition for the life of the development. Damaged screening materials and dead or diseased vegetation used to satisfy screening requirements shall be repaired or replaced in accordance with this chapter.

f. Alternative Compliance:

1. The Director may approve alternative screening methods or determine that existing site features, grade separation, walls, fencing, landscaping, or topography provide equivalent visual screening when the intent of this section is achieved.

3. Fencing:

a. Adjacent to Residential Districts or Uses: A solid decorative wall or opaque fence not less than 10 feet in height shall be installed along the shared boundary with the adjacent residential district or use.

b. Adjacent to Commercial Districts: A security fence of a durable, finished material not less than 8 feet in height shall be installed along the shared boundary with the adjacent commercial district.

c. Adjacent to Industrial Districts: A security fence of a durable, finished material not less than 8 feet in height shall be installed along the shared boundary with the adjacent industrial district.

4. Parking Area Landscaping:

a. Parking areas shall be landscaped in accordance with the general parking lot landscaping requirements of the County Code.

J. Accessory Battery Energy Storage Systems

1. Classification Criteria: A BESS shall be classified as an accessory use only when all of the following criteria are met:

a. The BESS is located on the same lot or data center campus as the data center it serves.

b. The BESS is designed and operated primarily to provide backup, emergency, or grid-stabilization support directly associated with the data center's operations, including load balancing and peak demand reduction that benefit both the development and the broader electrical grid.

c. The capacity of the BESS shall not exceed what is reasonably necessary to serve the operational and grid-stabilization needs of the data center.

d. The BESS is not interconnected to the electric grid for the primary purpose of wholesale power sales or independent commercial energy trading unrelated to the data center's operations.

2. Design and Safety Standards:

a. BESS installations shall comply with all applicable adopted codes, including NFPA 855 (Standard for the Installation of Stationary Energy Storage Systems), the International Fire Code, the International Building Code, and the National Electrical Code.

b. A Battery Energy Storage System Management Plan shall be submitted and approved by Lyon County Emergency Management, and the local Fire Protection district prior to installation, addressing fire prevention, thermal runaway mitigation, ventilation, spill containment, and emergency response procedures.

3. A BESS that does not meet the criteria for classification as an accessory use shall be considered a Principal BESS and shall require separate approval as a principal use in accordance with applicable provisions of the County Code.

K. Electrical Substations

1. Electrical substations serving the data center shall be permitted as accessory uses;

2. Substations shall be designed, installed, and operated in compliance with all applicable utility standards and electrical codes;

3. Substations shall be enclosed by a solid masonry wall not less than 10 feet in height.

L. Accessory Natural Gas Power Facilities

1. Classification Criteria: A natural gas power facility shall be classified as an accessory use only when all of the following criteria are met:

1 a. The facility is located on the same lot or data center campus as the data center it serves;

2
3 b. The facility is designed and operated primarily to serve the electrical load of the data
4 center, including providing backup power, reducing peak demand, and supporting grid stability in a
5 manner that directly benefits the data center's operations and the reliability of the broader electrical
6 grid;

7 c. The generating capacity of the facility shall not exceed 125% of the data center's
8 maximum permitted electrical demand. Capacity in excess of the data center's operational needs shall
9 be limited to that which is reasonably necessary to provide grid-stabilization support consistent with the
10 accessory nature of the facility; and

11
12 2. Permitting and Environmental Compliance:

13
14 a. All accessory natural gas power facilities shall obtain all required permits from applicable
15 federal, state, and local regulatory agencies prior to construction or operation, including but not limited
16 to all required air quality permits.

17
18 3. Natural gas power facilities that do not meet the criteria for classification as accessory shall
19 be considered principal uses and shall require separate approval per County Code.

20
21 M. Emergency Generators

22
23 1. Emergency generators shall be permitted as accessory uses, provided that all such generators
24 shall be Tier 4 certified in accordance with the U.S. Environmental Protection Agency's (EPA) Tier 4
25 emissions standards for non-road diesel engines, as established under 40 CFR Part 1039. No generator of
26 a lesser emissions tier shall be permitted.

27
28 2. All fuel storage tanks associated with emergency generator operations shall comply with all
29 applicable federal, state, and local fire codes and environmental regulations, including but not limited to
30 requirements for secondary containment and spill prevention.

31
32 3. Routine testing and maintenance operation of emergency generators shall be conducted only
33 during daytime hours, between 7:00 a.m. and 7:00 p.m. Operation outside of these hours shall be
34 permitted only in the event of an emergency necessitating the use of backup power.

35
36 N. Noise Standards

37
38 1. Noise generated by data center operations, including but not limited to mechanical
39 equipment, cooling systems, emergency generators, BESS installations, and all accessory uses, shall not
40 exceed 65 dB(A) during daytime hours and 60 dB(A) during nighttime hours, as measured at the
41 property line. Compliance with these standards shall be demonstrated through a noise analysis
42 prepared by a qualified engineer or design professional and submitted as part of the land use
43 application.

2. The applicant shall incorporate all noise mitigation measures necessary to achieve and maintain compliance with the noise standards set forth herein, including but not limited to acoustic barriers, equipment enclosures, low-noise equipment selection, and operational controls

3. All exterior mechanical equipment, including but not limited to cooling systems, emergency generators, and BESS installations, that incorporate vents, exhaust ports, or discharge ducts shall be designed and oriented so that all exhaust and ventilation is directed vertically. Vertical discharge orientation is required to promote upward dispersal of noise and exhaust and to minimize the lateral transmission of noise toward adjacent properties and public rights-of-way.

4. Prior to the issuance of a Certificate of Occupancy, the applicant shall commission a Noise Compliance Verification Report conducted by a qualified engineer or design professional to verify that the completed facility operates in compliance with the noise standards established in the approved noise study submitted with the land use application. The noise measurement survey shall be conducted under normal operating conditions with all mechanical equipment, cooling systems, emergency generators, and other noise-generating equipment operating at or near full capacity. Results of the noise measurement survey shall be submitted to the reviewing authority for review and approval prior to the issuance of a Certificate of Occupancy. Should the report demonstrate an exceedance of the applicable noise standards, the applicant shall implement all necessary mitigation measures and shall conduct an additional noise measurement survey confirming compliance before a Certificate of Occupancy is issued.

O. Cooling Systems

1. Prohibited Cooling Types:

a. Evaporative, adiabatic, open-loop, and other water-consuming cooling systems shall not be permitted.

2. Conditional Allowance: Evaporative or hybrid (use of evaporative and air cooling systems) cooling may be approved only if the applicant demonstrates, to the satisfaction of the County, that:

a. The system will utilize treated effluent or reclaimed wastewater as its exclusive makeup source; and

b. The applicant holds a binding effluent commitment or supply agreement guaranteeing service for the full expected operational life of the project (minimum 20 years), issued by a recognized public or private utility.

P. Renewable Energy:

1. Data centers are encouraged to incorporate on-site renewable energy generation and/or to procure renewable energy through power purchase agreements or renewable energy certificates to offset electricity consumption.

Q. Air Quality

1. All stationary sources of air emissions, including emergency generators and natural gas power facilities, shall obtain required air quality permits and shall comply with all applicable federal, state, and local air quality regulations.

R. Lighting

1. Exterior lighting shall comply with the general lighting standards of 15.337.03.

2. All exterior lighting shall be full cutoff fixtures designed to eliminate light trespass onto adjacent properties.

3. Lighting levels at the property line shall not exceed 0.5 footcandles adjacent to residential properties and 1.0 footcandle adjacent to commercial or industrial properties.

Section 3. The Lyon County Development Code, Title 15, Chapter 401, Section 3, TABLE 15.401-1 is hereby amended as follows:

Use Category		Use Type	Number of Spaces Required
Industrial uses:			
	Waste and Salvage	Salvage, junk yard	See Schedule C
	<u>Data and Techonolgy Services</u>	<u>Data Center</u>	<u>1 per 5,000 sf</u>

Section 4. The Lyon County Development Code, Title 15, Chapter 1200, Section 4 is hereby amended as follows:

15.1200.04.5: INDUSTRIAL USES:

G. Telecommunications: Telecommunications facilities transmit analog or digital voice or communications information between or among points using electromagnetic signals via antennas, microwave dishes, and similar structures. Supporting equipment includes buildings, shelters, cabinets, towers, electrical equipment, parking areas, and other accessory development. (Ord. 603, 11-1-2018).

H. Data and Technology Services:

1. Data Center: A facility whose primary purpose is the centralized housing, storage, processing, management, or transmission of digital data. This includes server farms, cloud computing facilities, colocation centers, enterprise data centers, and telecommunications switching hubs. A data center typically includes large-scale computer systems, servers, networking equipment, and supporting infrastructure such as environmental controls, backup power systems, and security systems.

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Section 5. If any section of this ordinance or portion thereof is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not invalidate the remaining parts of this ordinance

Section 6. All ordinances, parts of ordinances, chapters, sections, subsections, clauses, phrases or sentences contained in the Lyon County Code in conflict herewith are hereby repealed.

Section 7. This ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

Proposed on the ____ day of _____, 2026.

Proposed by Commissioner: _____

THIS Ordinance has been PASSED, ADOPTED and APPROVED this ____ day of _____, 2026 by the following vote of the Board of Commissioners, Lyon County:

Ayes: _____

Nays: _____

Absent: _____

Attest:

County Clerk

Chair of the Board

This ordinance shall be in force and effect from and after the ____ day of the month of _____ of the year 2026.